

Order

Michigan Supreme Court
Lansing, Michigan

April 13, 2007

Clifford W. Taylor,
Chief Justice

132585

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

TOMMY JONES and JOANN JONES,
Plaintiffs,

v

SC: 132585
COA: 260879
Wayne CC: 03-335438-NI

JAMES TIMOTHY ELMORE, DAVID
LA DOUCEUR, and JAMES BROTHER'S
LANDSCAPE & POND SUPPLY, INC.,
Defendants,
Third-Party Plaintiffs-Appellants,

and

POWER PLAY CUSTOM TRAILERS and
STEPHEN SASSEK,
Third-Party Defendants-Appellees.

On order of the Court, the application for leave to appeal the October 19, 2006 judgment of the Court of Appeals is considered and, it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J., dissents and states as follows:

I would grant leave to appeal to further consider the relationship under MCR 2.603(D)(1) between the "good cause" and the "meritorious defense" standards for setting aside a default judgment, and to review the application of these standards in the instant case.



t0410

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 13, 2007

Corbin R. Davis

Clerk